

Enclosure B

Index of Withheld Records: Request No. EPA-R5-2018-011747

Exemption 5 – Attorney Client/Attorney Work Product/ Deliberative Process Privileges

1. Annotated Code of Federal Regulations, Title 40 – Protection of Environment Chapter 1; 4 pages
2. Data Sheet: Metropolitan Council; 37 pages
3. DOJ facsimile from James Lofton to Mary McAuliffe, September 22, 1998; 9 pages
4. DOJ facsimile from Jim Lofton to Mary McAuliffe, December 17, 1999; 4 pages
5. DOJ Letter from James Lofton to Mark D. Thompson, September 24, 1998; 1 page
6. DOJ facsimile from James Lofton to Mary McAuliffe, September 24, 1998; 31 pages
7. DOJ Facsimile from James Lofton to Mary McAuliffe, November 10, 1998; 8 pages
8. Dorsey & Whitney LLP Fax to Mary McAuliffe, August 7, 2001; 3 pages
9. Draft Consent Decree; 51 pages
10. Draft Complaint; 14 pages
11. Draft memorandum from George T. Czerniak to David Kee; 19 pages
12. Draft Consent Decree; 50 pages
13. Draft U.S. EPA memorandum from Lynn Kuo to Files, September 29, 1998; 9 pages
14. Email from Mary McAuliffe to Jim Lofton, November 24, 1999; 5 pages
15. Email from Mary McAuliffe to Jim Lofton, March 24, 2000; 2 pages
16. Email from Erik Hardin to Jim Lofton, October 24, 2005; 1 page
17. Email from Mary McAuliffe to Lynn Kuo; March 24, 1998; 1 page
18. Email from Erik Hardin to Mary McAuliffe, December 20, 1999; 1 page
19. Email from Mary McAuliffe to Erik Hardin, July 19, 1999; 3 pages
20. Email from Erik Hardin, September 23-28, 1999; 4 pages
21. EPA 5/MCES Conference on Metro Plant NOV/FOV, September 11, 1997; 5 pages
22. Facsimile from Bill Rickman to Mr. Lofton, November 21, 1997; 16 pages
23. Fax to Mary McAuliffe from Jim Lofton, April 21, 1999; 1 page
24. Handwritten notes; 1 page
25. Handwritten notes, September 13, 1999; 1 page
26. Handwritten notes, November 5, 2001; 1 page
27. Handwritten notes, October 18, 2001; 3 pages
28. Handwritten notes, September 23, 1998; 9 pages
29. Handwritten notes, September 23, 1998; 1 page
30. Handwritten notes, September 29, 1998; 3 pages
31. Handwritten notes; 2 pages
32. Handwritten notes, September 2, 1998; 5 pages
33. Handwritten notes; 9 pages
34. Handwritten notes, October 24, 2001; 2 pages
35. Handwritten notes, July 30, 2001; 7 pages
36. Handwritten notes, October 5, 1999; 7 pages
37. Letter from Dr. Joseph Reynolds to James Lofton, July 20, 1999; 2 pages
38. Letter from David Ullrich to Lois Schiffer, September 24, 1997; 9 pages
39. Letter from David Ullrich to Lois Schiffer, September 24, 1997; 2 pages
40. Manhattan College Facsimile to Mary McAuliffe; April 21, 1999; 5 pages

41. Memorandum from Mary McAuliffe to Steven Sloan, July 11, 2001; 4 pages
42. Memorandum from Erik Hardin to Mary McAuliffe, December 12, 2000; 1 page
43. Multiple Hearth Incinerator Operation; 11 pages
44. Region 5 Concurrence Sheet (ORC); June 26, 2000; 2 pages
45. Routing and Transmittal Slip from Mary McAuliffe to Lynn Kuo, April 28, 1998; 22 pages
46. Supplemental Environmental Project, April 28, 2000; 1 page
47. The Economic Benefit Calculation, September 15, 1997; 2 pages
48. U.S. EPA Briefing Document, August 26, 1999; 4 pages
49. U.S. EPA Letter from Mary McAuliffe to Ben Fisherow, October 3, 2000; 1 page
50. U.S. EPA memorandum from Francis X. Lyons to Steven A. Herman; June 27, 2000; 4 pages
51. U.S. EPA memorandum from Francis X., Lyons to Steven A. Herman, June 27, 2000; 3 pages
52. U.S. EPA Fax to Charlie Garlow, July 14, 2000; 5 pages
53. U.S. EPA Facsimile to Jim Lofton from Mary McAuliffe; September 27, 1999; 2 pages
54. U.S. DOJ Facsimile to Mary McAuliffe from James Lofton, November 25, 1998; 5 pages
55. U.S. EPA Memorandum from William McDowell to Eric Cohen; 29 pages
56. U.S. EPA Memorandum from Denny Dart to Rodger Field, December 9, 1997; 2 pages
57. U.S. EPA Memorandum; 7 pages
58. U.S. EPA memorandum from Lynn Kuo to Files, September 29, 1998; 4 pages
59. U.S. EPA memorandum from Lynn Kuo to Files; September 22, 1997; 8 pages